

1 GARY M. RESTAINO
United States Attorney
2 District of Arizona
CARIN C. DURYEE
3 Assistant U.S. Attorney
United States Courthouse
4 405 W. Congress Street, Suite 4800
Tucson, Arizona 85701
5 Telephone: 520-620-7300
Carin.Duryee@usdoj.gov
6 Attorneys for Plaintiff

7 KRISTEN CLARKE
Assistant Attorney General
8 Civil Rights Division, Criminal Section
MARLA N. DUNCAN
9 Trial Attorney
U.S. Department of Justice
10 950 Pennsylvania Ave, NW, 4CON
Washington, D.C. 20530
11 Telephone: (202) 598-3508
Marla.Duncan@usdoj.gov

12 IN THE UNITED STATES DISTRICT COURT
13 FOR THE DISTRICT OF ARIZONA
14

15 United States of America,
16 Plaintiff,

17 vs.

18 Aaron Thomas Mitchell,
19 Defendant.
20

CR 22-01545-TUC-RM (EJM)

JOINT PROPOSED STATEMENT
OF THE CASE

21
22 The United States and Defendant Aaron Thomas Mitchell, by and through
23 undersigned counsel, hereby respectfully submit the following Joint Proposed Neutral
24 Statement of the Case:

25 This is a criminal case. The Defendant is charged with Deprivation of Rights Under
26 Color of Law in violation of 18 U.S.C. § 242, Kidnapping of a Minor in violation of 18
27 U.S.C. §§ 1201(a)(1) and (g), and False Statements in violation of 18 U.S.C. § 1512(b)(3),
28 all in connection with events which took place in Sierra Vista and Douglas, in the District

1 of Arizona, on April 25–26, 2022, and involved a Minor Victim (M.V.). The charges
2 against the Defendant are set forth in a document called an “Indictment.” The Indictment
3 simply describes the charges the United States brings against the Defendant.

4 Specifically, Count One of the Indictment alleges that in April 2022, while acting
5 under color of law as a Customs and Border Protection officer, the Defendant used his
6 position as an officer to kidnap and sexually abuse M.V. without her consent, thereby
7 willfully depriving M.V. of her Constitutional right to bodily integrity.

8 Count Two of the Indictment alleges that in April 2022, the Defendant did
9 unlawfully seize, confine, inveigle, kidnap, abduct, and carry away, M.V. a minor under
10 the age of 18, when the Defendant had no legal right to do so, using a vehicle, which is an
11 instrumentality of interstate and foreign commerce.

12 Finally, Count Three of the Indictment alleges that, in connection with the Douglas
13 Police Department (DPD) investigation of the sexual assault of M.V. which occurred in
14 April 2022, Defendant knowingly engaged in false and misleading conduct toward officers
15 from the Douglas Police Department (DPD) with the intent to hinder, delay, and prevent
16 the communication to a law enforcement officer of the United States of information relating
17 to the federal offenses as charged in Counts One and Two.

18 The Defendant has pleaded not guilty to the charges and is presumed innocent unless
19 and until the United States proves the Defendant guilty beyond a reasonable doubt. In
20 addition, the Defendant has the right to remain silent and never has to prove innocence or
21 present any evidence.

1 Respectfully submitted this 18th day of December 2023.

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3 GARY M. RESTAINO
4 United States Attorney
District of Arizona

5 *s/ Carin C. Duryee*
6 CARIN C. DURYEE
Assistant U.S. Attorney

7 KRISTEN CLARKE
8 Assistant Attorney General
9 Civil Rights Division

10 *s/ MarLa Duncan*
11 MARLA DUNCAN
Trial Attorney

12 Attorneys for United States of America

13 */s/*
14 BENJAMIN SINGERMAN
15 JORDAN P. MALKA
Office of the Federal Public Defender
16 District of Arizona

17 Attorneys for Defendant Aaron Thomas Mitchell

18 Copy of the foregoing served electronically or by
19 other means this 18th day of December 2023, to:

20 All ECF Participants
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